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SEATTLE
Gunrunner

Attorneys for a man charged with smuggling weapons to Pakistan contend he was funneling weapons to Afghan freedom fighters with the tacit approval of the U.S. Defense Department and Central Intelligence Agency.

In court papers filed in U.S. District Court, lawyers suggest the gunrunning activities of Eugene R. Clegg, of Castle Rock, Wash., probably would be continuing if the federal Bureau of Alcohol, Tobacco and Firearms hadn't been tipped about the operation.

"It is the position of the defendant that the government of the United States knew of the activities of Eugene Clegg long before his arrest in Pakistan," federal public defender Tom Hillier said Monday.

"Further, (Clegg contends) that the United States government ... allowed the transportation of said weapons to continue with the full knowledge of the government and with its tacit approval, until such time as events in the Western District of Washington prompted Mr. Clegg's arrest by Pakistani authorities."

To bolster the argument, Hillier submitted a recent newspaper article quoting Reagan administration sources saying the United States has stepped up the quantity and quality of covert military support to Afghan insurgents fighting the Soviet-backed government in Kabul.

Acting apparently on information supplied by the bureau, Pakistani customs officials arrested Clegg, of Castle Rock, Wash., at Islamabad Airport last September and seized a shipment of crates marked "musical instruments." They were found to contain 66 semi-automatic rifles, 35 pistols and 2,500 rounds of ammunition.

Clegg, who taught English at the American embassy school in Pakistan, was convicted by a Pakistani military court, fined \$400 and sentenced to 10 years. The U.S. State Department then arranged for his release -- for reasons that have not been disclosed -- and Clegg was whisked to Seattle by three U.S. marshals.

Upon his arrival, Clegg was charged by a federal grand jury with four counts of illegally exporting firearms from the Seattle-Tacoma Airport to Pakistan between August 1981 and August 1982. Prosecutors allege he deposited \$100,000 of proceeds from his gun sales in a bank in the Bahamas.

Clegg was eligible for a federal public defender because the U.S. government attached his Bahaman assets.

Hillier contends there is no dispute between the defense and prosecution that Clegg was smuggling weapons to aid the freedom fight of the Afghan rebels. Assistant U.S. Attorney Jerry Olson, who is prosecuting Clegg, declined comment Monday.

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